

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|------------------------------|---|-----------------------|
| BOEHRINGER INGELHEIM |) | |
| PHARMACEUTICALS INC., |) | |
| BOEHRINGER INGELHEIM |) | |
| INTERNATIONAL GMBH, |) | |
| BOEHRINGER INGELHEIM |) | |
| CORPORATION and |) | |
| BOEHRINGER INGELHEIM |) | |
| PHARMA GMBH & CO. KG, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | C.A. No. 23-685 (CFC) |
| |) | |
| APOTEX INC. and APOTEX CORP. |) | |
| |) | |
| Defendants. |) | |

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED by the parties, subject to the approval of the Court, that certain deadlines set forth in the Scheduling Order (D.I. 34) and Stipulation and Order for Extension of Time (D.I. 91) are amended as follows:

| <u>Event</u> | <u>Current Deadline</u> | <u>New Deadline</u> |
|---|-------------------------|---------------------|
| Completion of Fact Discovery ¹ | March 14, 2025 | April 11, 2025 |

¹ For clarity, the extension of the fact discovery deadline is for the purpose of completing existing discovery and fact depositions. No new written discovery requests are permitted.

| <u>Event</u> | <u>Current Deadline</u> | <u>New Deadline</u> |
|---|--------------------------------|----------------------------|
| Final Deadline to Supplement the Preliminary Disclosure of Asserted Claims, Preliminary Disclosure of Prior Art, Infringement Contentions, and Invalidity Contentions | March 28, 2025 | April 25, 2025 |
| Final Deadline to Supplement Noninfringement Contentions and Responses to Invalidity Contentions | April 11, 2025 | May 9, 2025 |
| Opening Expert Reports | May 2, 2025 | May 22, 2025 |
| Rebuttal Expert Reports (including Plaintiffs' Secondary Indicia Opinions) | June 27, 2025 | July 11, 2025 |
| Reply Expert Reports (all issues) | July 31, 2025 | August 8, 2025 |

All other deadlines remain unchanged.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

PHILLIPS, McLAUGHLIN & HALL, P.A.

/s/ Megan E. Dellinger

/s/ Megan C. Haney

Jack B. Blumenfeld (#1014)
 Brian P. Egan (#6227)
 Megan E. Dellinger (#5739)
 1201 North Market Street
 P.O. Box 1347
 Wilmington, DE 19899
 (302) 658-9200
 jblumenfeld@morrisnichols.com
 began@morrisnichols.com
 mdellinger@morrisnichols.com

John C. Phillips, Jr. (#110)
 Megan C. Haney (#5016)
 1200 North Broom Street
 Wilmington, DE 19806
 (302) 655-4200
 jcp@pgmhlaw.com
 mch@pgmhlaw.com

Attorneys for Defendants

Attorneys for Plaintiffs

March 14, 2025

SO ORDERED, this _____ day of _____, 2025.

The Honorable Colm F. Connolly
Chief, United States District Court Judge